IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

WP(C).No. 15146 of 2004(C)

PETITIONER:

K.BALACHANDRAN NAMBIAR
S/O.CHANDU NAMBIAR, AGED 72 YEARS,
VELAPOYIL HOUSE, NADUVANNAD POST, ULIYIL,
MATTANNUR VIA, KANNUR DISTRICT.

BY ADV. SRI.T.A.RAMADASAN

RESPONDENTS:
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1. STATE OF KERALA, REP.BY CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE LAND REVENUE COMMISSIONER,
THIRUVANANTHAPURAM.

3. THE REVENUE DIVISIONAL OFFICER,
TELLICHERY.

4. THE DISTRICT COLLECTOR, KANNUR.

BY GOVERNMENT PLEADER SRI. THOMAS JOHN AMBOOKEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 15146/2004 C

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE LETTER SENT BY R1 TO THE PETITIONER DT. 18/09/02.

EXT.P2. COPY OF THE REVENUE RECEIPT DT. 27/6/56.

EXT.P2A. COPY OF THE REVENUE RECEIPT DT. 27/6/56.

EXT.P2B. COPY OF THE REVENUE RECEIPT DT. 28/03/57.

EXT.P2C. COPY OF THE REVENUE RECEIPT DT. 28/03/57.

EXT.P2D. COPY OF THE REVENUE RECEIPT DT. 10/1/1968.

EXT.P2E. COPY OF THE REVENUE RECEIPT DT. 10/1/1968.

EXT.P3. COPY OF THE REPRESENTATION SENT BY THE PETITIONER TO THE R1 DT. 13/2/03.

EXT.P4. COPY OF THE JUDGMENT IN WPC NO. 31818/03 OF THIS COURT DT. 10/10/03.

EXT.P5. COPY OF THE ORDER OF THE R2 DT. 20/4/04.

True copy

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KURIAN JOSEPH, J.

W.P(C)No.15146 of 2004

Dated this the 14th day of June, 2007

JUDGMENT

Petitioner is aggrieved since his claim for pension on compassionate grounds on account of his long service as Heriditory Village Officer is denied. The stand taken in the counter affidavit apparently is that no evidence is available to prove the service of the petitioner. According to the petitioner given an opportunity he will be in a position to convince the Government that he is entitled to the compassionate pension since he can produce the available evidence before the Government. Accordingly this writ petition is disposed of as follows. In the event of the petitioner approaching the Government by producing materials to show that he had service as Heriditory Village Officer, untrammelled by the stand already taken by the Government the matter will be considered afresh with notice to the petitioner and appropriate action in accordance with law will be taken within another three months.

(KURIAN JOSEPH, JUDGE)

ahg.